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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRY CISNEROS,

Defendant.

CASE NO. 1:22-cr-00329-NODJ-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
AND ORDER

DATE: April 7, 2025

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a change of plea hearing on April 7, 2025.
2. By this stipulation, defendant now moves to continue the change of plea hearing to April 14, 2025, and to exclude time between April 7, 2025, and April 14, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports, several cell phone extractions, photographs, and other evidence. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) The parties have been engaged in settlement discussions and based on those discussions, the government has provided the defense with an offer that the parties expect will be signed before the change of plea hearing.

c) Counsel for defendant desires additional time to meet with his client, conduct independent investigation, review the discovery, and consider the government's plea offer.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) An ends-of-justice delay is particularly apt in this case because although the defendant is detained pending trial, he is also currently serving a state prison sentence.

g) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 7, 2025 to April 14, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: April 1, 2025

MICHELE BECKWITH
Acting United States Attorney

/s/ JUSTIN J. GILIO

JUSTIN J. GILIO
Assistant United States Attorney

Dated: April 1, 2025

/s/ Mark Coleman
Mark Coleman
Counsel for Defendant
JERRY CISNEROS

ORDER

IT IS SO ORDERED that the change of plea hearing is continued from April 7, 2025, to **April 14, 2025, at 10:00 a.m. in Courtroom 5 before District Court Judge Dale A. Drozd.** Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: April 1, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE